Paul H. Williams Attorney for Debtor(s) 601 North First Street PO Box 123 Yakima, WA 98907 509-453-4799

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EASTERN DIS	STRICT O	F WASHINGTON
In re:	)	
	)	NO. 09-00516
TAPLETT FAMILY LIMITED	)	
PARTNERSHIP,	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW ON
Debtor.	)	CONFIRMATION OF DEBTOR'S
	)	AMENDED CHAPTER 11
	)	PLAN OF REORGANIZATION

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THIS MATTER having come on for hearing on September 30, 2010 before the Hon. Frank Kurtz for confirmation of the Debtor's Amended Chapter 11 Plan of Reorganization filed herein on March 8, 2010. The Debtor's appeared personally through Dean Taplett, limited partner and authorized agent of the Debtor, and through counsel, Paul H. Williams. The United States Trustee appeared through Gary Dyer and Genesis Financial appeared through its counsel, Michael Staub. The Court, after reviewing the testimony of Mr. Taplett and the pleadings filed herein, and being advised that all objecting creditors having agreed to the confirmation of the Amended Chapter 11 Plan of Reorganization, hereby makes the following:

## FINDINGS OF FACT

- 1. Debtor's filed its petition for relief in Chapter 11 on February 5, 2009.
- 2. Debtor's Amended Disclosure Statement was filed on March 8, 2010 and approved on July 13, 2010 after Notice and Hearing.
- 3. That the proposed amended plan provides for the liquidation of the estate's assets, namely the East Wenatchee property legally described in the Chapter 11 Plan as amended.
  - 4. The Plan complies in all respects with 11 USC 1123.

FINDINGS OF FACT & CONCLUSIONS OF LAW re: ORDER CONFIRMING Chapter 11 Plan

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- 5. All tax returns have been filed since the date of filing.
- 6. The plan of reorganization filed with the court and submitted to voting by the creditors complies with the requirements of the bankruptcy code and rules in that it separately designates classes of claims for all creditors, specifies any classes of claims or interests that are not impaired under the plan, and specifies the treatment of all classes of claims and interests that are impaired under the plan.
- 7. The plan further specifies the same treatment of each claim or interest of a particular class.
- 8. By agreement of Genesis Financial, the debtor's largest creditor, and the Debtor, the parties agreed to the Amended Plan filed herein on March 8, 2010. The parties agreed to the specific value of the property and to the specific time requirements regarding liquidation of the East Wenatchee property, the debtor's main asset.
- 9. The Amended Plan is feasible as it provides all creditors with rights beyond what each would have under a Chapter 7 liquidation analysis.
- 10. The Amended Plan protects the rights of Genesis Financial's security interest in the East Wenatchee property as a fully secured creditor. Further the plan describes the rights of Genesis Financial regarding its Motion for Relief of Stay pending in this matter.
- 11. If the property fails to sell, the Amended Plan describes the rights of the parties described therein including the rights of Genesis Financial to its relief on its pending Motion for Relief from Stay.
- That the Plan has been proposed by Debtors in good faith and not by any means forbidden by law. The Creditors have received Notice of the Plan as Amended, No Obections have been filed and the Plan as amended should be approved.

FINDINGS OF FACT & CONCLUSIONS OF LAW re: ORDER CONFIRMING Chapter 11 Plan

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- 13. That all fees payable under Section 1930 of Title 28 have been paid.
- 14. That the Plan complies in all respects with the requirements of 11 USC 1129.
- 15. The Amended Plan proposed by the Debtor in conjunction with Genesis Financial is in the best interest of all classes and claim holder's as proposed.

Based on the foregoing FINDINGS OF FACT and CONCLUSIONS OF IAW, the Court concludes as follows:

1. That Debtor's Amended Chapter 11 Plan of Reorganization should be confirmed.

DATED this 5th day of Sctober, 2010.

Presented by:

Paul H. Williams, WSBA #31684

Attorney for Debtor

Frank L. Kurtz Bankruptcy Judge

10/08/2010 13:42:59